

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

<b>(1) DEPARTMENT</b> Public Works	<b>(2) MEETING DATE</b> 3/27/2012	<b>(3) CONTACT/PHONE</b> Courtney Howard, Water Resources Engineer (805) 781-1016	
<b>(4) SUBJECT</b> Hearing to consider approval of a resolution of adopting a Groundwater Management Plan for portions of the Paso Robles Groundwater Basin and formation of a Blue Ribbon Committee.			
<b>(5) RECOMMENDED ACTION</b> It is our recommendation that your Honorable Board, acting as the San Luis Obispo County Flood Control and Water Conservation District (District): <ol style="list-style-type: none"> <li>1. Conduct a hearing to consider protests to the adoption of the Plan, including public comment, and then close the hearing for public comment and submittal or withdrawal of written protest by landowners;</li> <li>2. If written protests represent less than 50% of the assessed value of the land subject to the Plan, then approve the attached resolution adopting the Groundwater Management Plan (GMP) for the portion of the Basin within the District's boundary and forming a Blue Ribbon Steering Committee consisting of the individuals and their alternates as listed in Attachment "B" of the resolution; and</li> <li>3. Direct staff to coordinate with the local agencies and applicable water service providers overlying the Basin to determine whether and how the GMP can be adopted and implemented for the entire Basin.</li> </ol>			
<b>(6) FUNDING SOURCE(S)</b> Flood Control General	<b>(7) CURRENT YEAR FINANCIAL IMPACT</b> N/A	<b>(8) ANNUAL FINANCIAL IMPACT</b> N/A	<b>(9) BUDGETED?</b> N/A
<b>(10) AGENDA PLACEMENT</b> <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. 60 min.) <input type="checkbox"/> Board Business (Time Est. _____)			
<b>(11) EXECUTED DOCUMENTS</b> <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A		<b>(12) BUDGET ADJUSTMENT REQUIRED?</b> BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
<b>(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)</b> N/A		<b>(14) W-9</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
<b>(15) LOCATION MAP</b> Attached	<b>(16) BUSINESS IMPACT STATEMENT?</b> No	<b>(17) AGENDA ITEM HISTORY</b> <input type="checkbox"/> N/A    Date 3/22/11; C-2	
<b>(18) ADMINISTRATIVE OFFICE REVIEW</b> <i>Nikki J. Schmidt</i>			
<b>(19) SUPERVISOR DISTRICT(S)</b> District 1 - District 5 -			

Reference:    12MAR27-H-1

## County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Courtney Howard, Water Resources Engineer

VIA: Paavo Ogren, Director of Public Works

DATE: 3/27/2012

SUBJECT: Hearing to consider approval of a resolution of adopting a Groundwater Management Plan for portions of the Paso Robles Groundwater Basin and formation of a Blue Ribbon Committee.

### **RECOMMENDATION**

It is our recommendation that your Honorable Board, acting as the San Luis Obispo County Flood Control and Water Conservation District (District):

1. Conduct a hearing to consider protests to the adoption of the Plan, including public comment, and then close the hearing for public comment and submittal or withdrawal of written protest by landowners;
2. If written protests represent less than 50% of the assessed value of the land subject to the Plan, then approve the attached resolution adopting the Groundwater Management Plan (GMP) for the portion of the Basin within the District's boundary and forming a Blue Ribbon Steering Committee consisting of the individuals and their alternates as listed in Attachment "B" of the resolution; and
3. Direct staff to coordinate with the local agencies and applicable water service providers overlying the Basin to determine whether and how the GMP can be adopted and implemented for the entire Basin.

### **DISCUSSION**

The District has led several efforts in the Paso Robles Groundwater Basin (Basin) over the past decade, including a Basin Study, Basin Model, and Groundwater Banking Feasibility Study. The Basin Study and Model identified areas of sustained groundwater level declines in the Basin and projected that continuous pumping and land use trends may result in demand exceeding safe Basin yield in the near term. The conditions continue today as recently documented in the County's Resource Capacity Study for the Basin.

One of the recommendations of the Banking Study was to develop a Groundwater Management Plan (GMP). This GMP identifies the management objectives for the Basin and key management activities

to implement in the Basin, such as improved monitoring and conservation programs. The District, County Service Area 16 (Shandon), the City of Paso Robles (City), the San Miguel Community Services District and several overlying landowners (known as PRIOR) have also entered into a Basin Agreement which, among other provisions, allows for the development of a GMP.

Based on the Banking Study's recommendation and the provision in the Basin Agreement, the District prepared an AB 303 Local Groundwater Assistance Program grant application to develop a GMP for the Basin. The District asked the City to act as the lead agency and submit the application since the County would be submitting an application for a separate groundwater basin in the County, and only one submittal was allowed per agency. Subsequently, the State awarded the City grant funding to complete the GMP for the Basin. A Memorandum of Understanding (MOU) was approved by your Board on December 15, 2009, to formalize cooperation between the District and the City on developing the GMP for the Basin by documenting each agency's roles and responsibilities.

### Process Requirements

One of the requirements under Water Code Section 10753, which outlines the requirements for developing a GMP, is for a participating agency to notice and hold a hearing to consider approving a Resolution of Intent (ROI) to develop a GMP. Your Board approved the ROI to develop the GMP on March 22, 2011. The approved ROI was duly noticed per Water Code Section 10753.3 (a). Consideration of adopting the GMP, and consideration of any protests to such action prior to adopting the GMP, must happen within two years of approval of the ROI. Today's hearing and the ROI was noticed and is being conducted in accordance with the applicable requirements of Water Code Section 10753 et seq.

### GMP Content

Since the approval of the ROI, City and District staff has continued to meet with Basin stakeholders to refine the GMP for the Basin. The GMP is on file with the Clerk's office, and available at [www.slocountywater.org](http://www.slocountywater.org) by clicking on the Paso Robles Groundwater Basin button. An excerpt of the GMP, including the Table of Contents and Introduction, is included as Exhibit "B".

The GMP documents conditions related to groundwater levels and quality in the Basin, and identify potential measures to protect groundwater resources within the Basin. The GMP contains groundwater basin management objectives and maps as required by Water Code Section 10753.7 of the Groundwater Management Planning Act of 2002. The key objective for the Basin is to stabilize and/or maintain groundwater levels. The GMP also addresses ongoing monitoring and reporting of conditions in the Basin, and the recommended approach to stakeholder involvement and the implementation of the GMP. As prepared, the GMP relies on voluntary participation by stakeholders to achieve its objectives, and establishing a Blue Ribbon Committee.

### Blue Ribbon Steering Committee

Concurrent with the effort to finalize the GMP for adoption, at their meeting on February 16, 2012 Basin stakeholders (an informal Steering Committee) supported, the concept of forming a Blue Ribbon Steering Committee to coordinate with stakeholders to implement the GMP to ensure the health of the basin. Specific activities are anticipated to include further evaluation of strategies for stabilizing groundwater levels in the Basin, and development of recommendations for implementing priorities. The Resolution of Adoption for the GMP is included as Exhibit "A," and Attachment "B" of

the Resolution of Adoption includes the list of individuals and their alternates recommended for appointment to the Blue Ribbon Steering Committee. The Blue Ribbon Steering Committee would sunset in two years from the date of execution of the Resolution of Adoption. Before that time, the Blue Ribbon Steering Committee's findings would be presented to your Board for consideration.

### GMP Adoption

While the content of the GMP addresses the entire Basin, Per Water Code Section 10753, the District may not adopt the GMP in the portions of the Basin served by a local agency unless that agency's "governing body," by a majority vote, declines to exercise the authority of [Water Code Division 6, Part 2.75 - Groundwater Management] and enters into an agreement with the local public agency pursuant to [Water code] Section[s] 10750.7 or 10750.8". Since the District has not entered into such agreements, the Resolution of Adoption (Exhibit "A") includes a map (Attachment "A" of Exhibit "A") designating the area of the Basin for which the GMP would be adopted by the District. It is recommended that staff coordinate with the local agencies overlying the Basin to determine whether and how the GMP can be adopted for the entire Basin.

The act of adopting the GMP does not implement the GMP; per Water Code Section 10753.9, an agency must also adopt rules and regulations to implement and enforce a GMP. It is anticipated that staff would return to your Board with implementation recommendations on a case by case basis, and related to implementation of the monitoring actions included in the Resource Capacity Study for the Basin (Exhibit "C") and the findings of a Blue Ribbon Steering Committee, discussed below. Adopting the GMP would, however, contribute to the District's eligibility for certain groundwater project/program related grant programs.

### **OTHER AGENCY INVOLVEMENT/IMPACT**

The California Department of Water Resources administers the AB 303 Local Groundwater Assistance Grant Program. The City of Paso Robles co-led the development of the GMP for the Basin with the District via a MOU and entered into a Grant Agreement with the State to fund the project. The GMP was developed with review and input from all of the agencies overlying the Basin and many individual landowners, including nine public workshops, as described in Chapter 6 of the GMP. Agencies and individuals identified for inclusion on the Blue Ribbon Committee confirmed their intent to participate via email or letters. Letters of support or protest for the GMP and/or the adoption of the GMP by your Board are included as Exhibit "D." The Planning Department was engaged in the development of the GMP, particularly due to their effort on the Basin Resource Capacity Study. County Counsel has reviewed the resolution as to legal form and effect.

### **FINANCIAL CONSIDERATIONS**

Efforts associated with administration of the GMP, including coordination with Basin stakeholders and the Blue Ribbon Committee, are covered with the approved annual San Luis Obispo Flood Control and Water Conservation District budget. Specific implementation actions associated with the GMP will be brought to your Board for consideration on a case by case basis. Two grant opportunities are being pursued to offset costs associated with potential implementation actions – an IRWM Planning Grant application including efforts to update the computer model of the Basin was approved for submittal to the State on February 28, 2012, and staff is coordinating with Basin stakeholders to develop a scope of work for a Local Groundwater Assistance Program grant opportunity in June 2012.

## **RESULTS**

Approving a Resolution of Adoption for the GMP for the Basin will comply with Water Code Section 10753, alert stakeholders and help ensure their involvement with determining how the GMP is implemented. Adopting a GMP for the Basin will also contribute to the District's eligibility for applying for grants and help to ensure it is cooperatively monitored and managed so it can remain a reliable source of water for all of its users, contributing to a safe, healthy, livable, prosperous and well-governed community.

File: CF 500.132.01 Groundwater Management Plan – Paso Robles Basin

Reference: 12MAR27-H-1

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## **ATTACHMENTS**

1. Vicinity Map
2. Paso Robles Groundwater Basin Management Plan (Clerk's File)
3. Exhibit A - Resolution of Adoption
4. Exhibit B - Excerpts from the Paso Robles Basin Groundwater Management Plan
5. Exhibit C - Excerpts from the Paso Robles Groundwater Basin Resource Capacity Study
6. Exhibit D - Letters of Support or Protest